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AUG 22 2002

In re Application of
Katherine Gordon and Suzanne Groet
Application No. 07/839,194
Filed: February 20, 1992
Attorney Docket No. IG5-4.4
Title: TRANSGENIC ANIMALS SECRETING
DESIRED PROTEINS INTO MILK

OFFICE OF PETITIONS
DECISION ON RENEWED PETITION

This is a decision on the second renewed petition filed on June 10, 2002¹, pursuant to 37 C.F.R. §1.137(b)², to revive the above-identified application.

The second renewed petition is **GRANTED**.


The above-identified application became abandoned for failure to reply to the final office action, mailed on January 30, 2001, which set a period for reply of three (3) months. No reply was received. Furthermore, no extensions of time were received. Accordingly, the above-identified application became abandoned on May 1, 2001. A Notice of abandonment was mailed on April 5, 2002.

With this second renewed petition, petitioner has submitted a proper terminal disclaimer.

The Notice of Appeal filed on September 14, 2001, has been entered and made of record. **Accordingly, the two (2) month period for filing the Appeal Brief, in triplicate, accompanied by the fee required by law, runs from the mailing date of this decision.**

The application file is being forwarded to Technology Center 1600 for further processing of the Notice of Appeal filed concurrently with this petition.

Telephone inquiries specific to this decision should be directed to Petitions Attorney Paul Shanoski at (703) 305-0011.


Paul Shanoski
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The original petition was filed on September 6, 2001, and dismissed in a decision mailed on November 6, 2001. The renewed petition was filed on February 8, 2002, and dismissed in a decision mailed on June 20, 2002.

² A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.